CHAPTER IX.

JUSTICE.

THE present district of Belgaum formed a part of the Southern Marátha Doab or between-stream land which was conquered from the Peshwa in 1817-18. The country formally came under British rule after General Munro's proclamation of the 11th February 1818. General Munro introduced civil administration into the newly conquered country, and under the title of Principal Collector and Political Agent exercised the functions of chief judicial, police, and revenue officer over the whole of it. The head-quarters of the district were at Dhárwár. The Southern Marátha Doab was divided into twenty-one sub-divisions, in each of which a mámlatdár aided by three or four group managers or *zilledárs* conducted the revenue, magisterial, and police administration. At the beginning of British rule petty civil claims and disputes were disposed of by the village officers; claims of more importance were entertained by the mámlatdárs and referred for final decision to *panchávats* or juries. The highest class of cases were filed before the Principal Collector and were referred by him to juries for decision, subject to final trial on appeal before himself. About the year 1820 or 1821 a separate judicial officer called the *adálat peshkár* or court clerk was appointed to each subdivision, but he seems to have been little more than a clerk to the mámlatdár. His office was soon abolished and munsifs were appointed who gradually introduced the judicial system prescribed in the General Regulations. The Principal Collector was aided by a judicial assistant under the title of registrar. In 1830 by Regulation VII of the same year the Southern Marátha Doab was brought under the General Regulations of 1827 for the Bombay Presidency and was named the Dhárwár Zilla. In 1836 Belgaum was formed into a separate district for revenue purposes; but Belgaum remained under the jurisdiction of the District Judge of Dhárwár till 1869 when it was made a separate judicial district.

Civil Courts.
1870-1882.

In 1870 the number of courts was five, the number of suits settled was 3421, and the average duration was two months and twenty days. In 1875 the number of courts was the same as in 1870, the number of suits settled was 4733, and the average duration was three months and three days. In 1880 the number of courts was the same as in 1870, the number of suits settled was 3524, and the average duration was five months. At-present (1883) the district is provided with a District Judge and four sub-judges. Of the four sub-judges the first class sub-judge of Belgaum besides special jurisdiction above £500 (Rs. 5000) over the whole district, including Bijápur has ordinary jurisdiction over the Belgaum and Khánápur subdivisions; the second class sub-judge of Chikodi has charge over the Chikodi and Gokák subdivisions; the second class sub-judge of Saundatti has charge over the Parasgad and Sampgaon subdivisions; and the sub-judge of Athni has charge over the Athni sub-division.

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The average distance of the Belgaum court from its furthest six villages is thirty-four miles; of the Chikodi court thirty-six miles; of the Saundatti court twenty-seven miles; and of the Athni court nineteen miles.

Civil Suits. *1870-1882.*

During the thirteen years ending 1882 the average number of suits decided was 3851. During the first four years ending 1873, the totals show a gradual rise from 3421 in 1870 to 4723 in 1873. During the next three years the returns show alternate falls and rises. In 1877 the total fell from 3841 in 1876 to 3581 and again rose to 3841 in 1878. During the four years ending 1882 the totals fell continuously from 3841 in 1878 to 3243 in 1882. Of the total number of cases decided, fifty-nine per cent have on an average been given against the defendant in his absence, the lowest being forty-five in 1882 and the highest sixty-eight in 1874. Except in 1874, when there was an unusual rise to sixty-eight or nine per cent above the average, and in 1880 1881 and 1882 when there were unusual falls to fifty-three or six per cent, fifty-one or eight per cent, and forty-five or fourteen per cent below the average, the proportion of cases decided in the defendant's absence showed slight variations from the average, the rise or fall being one to four and at the most five per cent:

Belgaum Ex-parte Decrees, 1870-1882.

Year.	Suits.	Decided Ex-parte.	Percentage.	Year.	Suits.	Decided Ex-parte.	Percentage.
1870 ...	3421	1951	57	1878 ...	3841	2327	60
1871 ...	3740	2167	58	1879 ...	3638	2180	60
1872 ...	4100	2580	63	1880 ...	3524	1883	53
1873 ...	4723	3001	64	1881 ...	3387	1752	51
1874 ...	4295	2928	68	1882 ...	3243	1481	45
1875 ...	4733	2888	61				
1876 ...	3841	2407	63				
1877 ...	3581	2057	57	Total ...	50,067	29,602	59

Of contested cases during the thirteen years ending 1882 an average of 21·99 per cent have been decided for the defendant, the percentage varying from 26·45 in 1875 to 18·68 in 1872, and the number keeping always below 200 during this period, except in 1875 when it was 246. In 204 or 6·29 per cent of the suits decided in 1882 the decree was executed by putting the plaintiff in possession of the immovable property claimed. The number of this class of cases varied from 209 out of 3524 in 1880 to 126 out of 3638 in 1879. In 560 or 17·26 per cent of the 1882 decisions, decrees for money due were executed by the attachment or sale of property. Of these 470 or 14·49 per cent were executed by the sale of immovable property and ninety or 2·77 per cent by the sale of movable property. The number of attachments or sales of immovable property varied from 1835 in 1875 to 470 in 1882, and of movable property from 264 in 1875 to sixty-two in 1881. During the thirteen years ending 1882 the number of decrees executed by the arrest of debtors varied from 244 in 1873 to eight in 1877. During the three years ending 1872 the number varied from 152 in 1871 to 187 in 1872. In 1873 the number suddenly rose from 187 in 1872 to 244 in 1873; but in 1874 it suddenly fell to 120 and continued falling to eight in 1877. During the five years

ending 1882 the number continuously rose from eight in 1877 to seventy-one in 1882. The following table shows that during the same thirteen years (1870-1882) the number of civil prisoners varied from 160 in 1878 to eight in 1881:

Belgaum Civil Prisoners, 1870-1882.

Year.	Prisoners	Days.	Release.				
			Satisfying the Decree.	Creditors' Request.	No subsistence Allowance.	Disclosure of Property.	Time-Expired
1870	38	1237	4	9	20	3	2
1871 ..	29	1708	3	7	13	4	2
1872 ...	36	1552	3	13	18	1	1
1873 ...	75	2538	7	7	40	3	16
1874 ...	68	2266	8	7	22	7	24
1875 ...	87	2730	7	7	33	8	32
1876 ...	95	3129	5	6	13	5	66
1877 ...	123	3646	15	5	6	2	95
1878 ...	160	5502	17	11	13	...	119
1879 ...	23	698	1	9	11	...	2
1880 ...	13	394	...	3	9	...	1
1881 ...	8	390	...	...	7	...	1
1882 ...	20	716	1	7	8	...	4

The following statement shows in tabular form the working of the district civil courts during the thirteen years ending 1882:

Belgaum Civil Courts, 1870-1882.

Year.	Suits Disposed.	Average Value in £.	Uncontested.				
			Decreed Ex-parte.	Dismissed Ex-parte.	Decreed on Confession.	Otherwise Disposed of.	Total.
1870	3421	11·0	1951	19	219	443	2632
1871	3740	14·2	2187	31	203	564	2985
1872	4100	13·3	2580	22	252	518	3372
1873	4723	14·7	3001	27	176	631	3835
1874	4295	13·2	2928	25	137	502	3592
1875	4733	20·4	2888	88	133	694	3803
1876	3841	15·0	2407	83	102	503	3095
1877	3681	24·3	2057	72	151	412	2692
1878	3841	11·4	2327	103	151	550	3131
1879	3638	14·7	2180	126	148	472	2926
1880	3524	20·2	1883	166	167	567	2783
1881	3387	22·2	1752	164	161	535	2612
1882	3243	14·9	1481	153	206	603	2443

Years.	Contested.				Execution of Decrees.			
	For Plaintiff.	For Defendant.	Mixed.	Total	Arrest of Debtor.	Decree-holder put in Possession of Immovable Property.	Attachment or Sale of Property.	
							Immovable.	Movable.
1870 ...	542	189	58	789	170	171	1139	168
1871 ...	517	180	78	775	152	168	1089	141
1872 ...	511	136	81	728	187	151	1077	134
1873 ...	713	175	...	888	244	174	1492	182
1874 ...	557	146	...	703	120	181	1468	228
1875 ...	684	246	...	930	32	168	1835	264
1876 ...	589	157	...	746	82	156	1552	189
1877 ...	698	191	...	889	8	164	810	104
1878 ...	577	133	...	710	21	164	1387	185
1879 ...	556	156	...	712	25	126	1644	160
1880 ...	564	177	...	741	42	209	979	139
1881 ...	606	169	...	775	65	189	565	62
1882 ...	615	185	...	800	71	204	470	90

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Registration.

The Registration Department employs seven sub-registrars, all of them special or full-time officers. One of these sub-registrars is stationed at each sub-divisional head-quarters. In addition to supervision by the Collector as District Registrar, a special scrutiny, under the control of the Inspector General of Registration and Stamps, is carried on by the divisional inspector. According to the registration report for 1882-83 the gross registration receipts for that year amounted to £1046 (Rs. 10,460) and the charges to £787 (Rs. 7870) thus leaving a credit balance of £259 (Rs. 2590). Of 4948, the total number of registrations, 4796 related to immovable property, 132 to movable property, and twenty were wills. Of 4796 documents relating to immovable property 2247 were mortgage deeds, 1487 deeds of sale, 76 deeds of gift, 816 leases, and 170 miscellaneous deeds. Including £166,126 (Rs. 16,61,260) the value of immovable property transferred, the total value of the property affected by registration amounted to £169,590 (Rs. 16,95,900).

Magistracy.

At present (1882) twenty-four officers share the administration of criminal justice. Of these one is the District Magistrate, five are first class magistrates, seven second class and eleven third class. Of the first class magistrates two are covenanted European civilians, two are uncovenanted civil officers, also called deputy collectors, and one is the cantonment magistrate. The District Magistrate has a general supervision over the whole district. In 1881 the District Magistrate decided three original and six appeal cases and the five first class magistrates decided 2015 original cases. Three of the first class magistrates, invested with appellate powers, decided thirty-seven appeals against the decisions of the second and third class magistrates in their revenue charges and one had also divisional magistrate's powers. The *huzur* deputy collector has magisterial charge of the town of Belgaum and the cantonment magistrate of the cantonment. The remaining three first class magistrates divide the rest of the district between them according to their revenue charges. This gives them each an average area of 1552 square miles and about 261,355 people. Of magistrates of the second and third classes, there are eighteen, all of them natives of India. Of these seven are head *kárkuns* who aid the mámlatdárs and have no separate charges, and one is the special magistrate of the Here estate, who has charge of his own *inám* villages. The remaining ten *táluka* and *mahál* magistrates have an average charge of 465·6 square miles with about 84,035 people. In 1881 they decided in all 1498 original cases. Besides their magisterial duties these officers exercise powers as mámlatdárs, mahálkaris, and head *kárkuns* to mámlatdárs. 902 hereditary police *pátils* or village heads are entrusted with petty magisterial powers under section 14 of the Bombay Village Police Act VIII. of 1867. Of the whole number six hold commissions under section 15 of the Act.

Village Police, 1882.

The village police consists of the headman called the police *pátil* and one to twenty-eight *shetsandis* or militia, and, in the Chikodi Gokák and Athni sub-divisions, instead of militia village watchmen under the name of *gastis* or men of the rounds, *taráls* or Mhárs who attend upon travellers, *kolkars* or messengers, and *náiks* or village head servants who are by caste either Dhangars that is

Village Police, 1882.

shepherds or Kolis that is fishermen who are paid either by land only or partly by land partly by cash. The number of militia or *shetsandis* at the different villages varies according to their size. No Mhár or *jáglya* watchmen do police duty. In the Belgaum and Khánápur sub-divisions a class of hereditary village police called *gadkari* or hill-fort men stand on an entirely different footing from the militia or *shetsandis*. They are the descendants of the hereditary garrisons of the three hill-forts of Párgad and Kálánandigad in the Belgaum subdivision and of Bhimgad in the Khánápur sub-division. They do duty in turn in some of the neighbouring villages and towns. The police headmen are under the direct orders of the District Magistrate but their nomination and dismissal rest with the Commissioner. The Belgaum district, with 1279 towns and villages and a population of 864,014, has 3556 police *shetsandis* or militia paid in land taxed at £6293 14*s.* (Rs. 62,937) and by £1210 (Rs. 12,100) in cash. The proportion of militia to population is one to 242·97. The *gadkaris* or hill-fort guards are paid £80 (Rs. 800) in land and £726 16*s.* (Rs. 7268) in cash, averaging £3 7*s.* (Rs. 33½) a year to each man. Their duties are chiefly confined to looking after the safety of their village, and aiding the district police in tracing crime and guarding and escorting criminals.

Crime.

The chief local obstacle to the discovery of crime and the conviction of offenders is the neighbourhood of the native states of Kolhápur and Sávantvádi, and the presence of *jágir* or estate villages within district limits. Perjury, forgery, criminal misappropriation, breach of trust, receiving stolen property, trespass, and adultery are the characteristic crimes of the higher classes. Field disputes are frequent and cause numerous agrarian offences, chiefly of the nature of assault, hurt, even murder, robbery, mischief, false complaint, and false evidence. The pressure of creditors through the medium of the civil courts, causes an occasional grievous hurt, robbery, or murder chiefly for revenge. The chief local criminal classes are Bedars who are mostly cattle-lifters, and the wandering tribes, Lamáns, Kaikádis, Vadars, and Beldárs who are more or less given to thieving and often join into gangs for highway and gang robberies.

Police, 1882.

In the year 1882 the total strength of the district or regular police-force was 663. Of these, under the District Superintendent, one was a subordinate officer, 108 inferior subordinate officers, fourteen mounted and 539 foot constables. The cost of maintaining this force was for the Superintendent a total yearly salary of £767 6*s.* (Rs.7673); for the subordinate officers, on yearly salaries of not less than £120 (Rs. 1200) and the inferior subordinate officers on yearly salaries of less than £120 (Rs. 1200), a total yearly cost of £2591 (Rs. 25,910); and for the foot and mounted constables a cost of £5015 8*s.* (Rs. 50,154). Besides their pay a total sum of £230 (Rs. 2300) was yearly allowed for the horse and travelling allowances of the Superintendent, £395 14*s.* (Rs. 3957) for the pay and travelling allowances of his establishment, £193 14*s.* (Rs. 1937) for the horse and travelling allowances of subordinate officers, and £668 8*s.* (Rs. 6684) a year for contingencies and petty charges. Thus the total yearly cost of maintaining the police force amounted to £9861

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10*s.* (Rs. 98,615). On an area of 4656 square miles, and a population of 864,014, these figures give one constable for every seven square miles and 1303 people, and a cost of £2 2*s.* 4½*d.* (Rs. 21$\frac{3}{16}$) to the square mile, or 1¾*d.* (1$\frac{1}{8}$ *as.*) to each head of the population. Of the total strength of 663, exclusive of the Superintendent, eleven, one officer and ten men, were in 1882 employed as guards at district, central, or subsidiary jails; forty-six, six of them officers and forty men, were engaged as guards over treasuries and lock-ups, or as escorts to prisoners and treasure; 532 ninety-two of them officers and 440 men were stationed in towns, municipalities, and cantonments. Of the whole number, exclusive of the Superintendent, 334 were provided with fire-arms and forty-two with swords or with swords and batons and 286 were provided with batons only; 174, of whom sixty-five were officers and 109 men could read and write, and fifty-one men were under instruction. Except the Superintendent who was a European the members of the police force were natives of India. Of these thirty-seven officers and 223 men were Muhammadans, seven officers and six men Bráhmans, seven officers and twelve men Rajputs, four officers and thirty-one men Lingáyats, thirty-seven officers and 210 men Maráthás, one officer and one man Jains, thirteen officers and thirty men Hindus of other castes, one officer a Pársi, and two officers and one man Christians.

Offences, 1874-1882.

The returns for the nine years ending 1882 show a total of 161 murders, fifty-two culpable homicides, 245 cases of grievous hurt, 452 gang and other robberies, and 25,512 other offences. During these nine years the total number of offences gave a yearly average of 2936 or one offence for every 294 of the population. The number of murders varied from thirteen in 1881 to twenty-three in 1874 and averaged eighteen; culpable homicides varied from two in 1876 to thirteen in 1877 and averaged six; cases of grievous hurt varied from sixteen in 1878 to forty-three in 1875 and averaged twenty-seven; gang and other robberies varied from thirty-one in 1875 to sixty in 1878 and averaged fifty; and other offences varied from 2277 in 1874 to 3786 in 1877 and averaged 2835 or 96·56 per cent of the whole. Of the whole number of persons arrested the convictions varied from forty-seven per cent in 1874 to sixty-eight in 1877 and 1881 and averaged fifty-eight per cent. The percentage of the stolen property recovered varied from thirty-five in 1881 to seventy-nine in 1878. The details are:

Belgaum Crime and Police, 1874-1882.

Year.	Offences and Convictions.															
	Murders and Attempt to Murder.				Culpable Homicide.				Grievous Hurt.				Dacoities and Robberies.			
	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.
1874 ...	23	48	31	65	3	5	2	40	19	60	13	22	46	96	17	18
1875 ...	16	48	10	21	4	3	1	33	43	94	56	60	31	48	9	19
1876 ...	18	42	27	64	2	2	2	100	36	59	39	66	57	280	157	56
1877 ...	18	36	9	25	13	24	3	12	36	50	27	54	52	220	113	51
1878 ...	22	31	15	48	6	13	5	38	16	15	8	53	60	37	18	49
1879 ...	14	23	14	61	8	9	4	44	32	33	11	33	56	78	42	54
1880 ...	16	30	18	60	7	7	5	71	25	36	24	67	57	85	37	44
1881 ...	13	13	7	54	3	5	4	80	26	38	15	40	43	53	28	53
1882 ...	21	33	21	64	6	3	2	67	22	34	17	50	50	39	4	10
Total...	161	304	153	50	52	71	28	39	245	419	210	51	452	936	425	45

Belgaum Crime and Police, 1874-1882—continued.

Year.	Offences and Convictions—continued.										
	Other Offences.				Total.				Property.		
	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.	Stolen.	Recovered.	Percentage.
1874 ...	2277	3766	1562	41	2368	3975	1625	47	6552	2633	40
1875 ...	2371	3610	1812	50	2465	3805	1888	51	3277	1511	46
1876 ...	2685	3920	2183	56	2798	4303	2408	56	3207	1218	38
1877 ...	3788	6376	4423	69	3905	6706	4575	68	6377	4519	71
1878 ...	2850	3430	2190	64	2954	3526	2236	66	5550	4292	79
1879 ...	2787	3535	2067	58	2887	3677	2138	59	5378	2574	48
1880 ...	3191	4160	2252	54	3296	4318	2336	54	3555	1337	38
1881 ...	2999	3233	2222	69	3084	3342	2276	68	2920	1015	35
1882 ...	2566	2557	1516	59	2665	2664	1560	59	2902	1240	43
Total...	25,512	34,587	20,227	58	26,422	36,314	21,042	58	39,718	20,339	51

Jails.

Besides the lock-up at each mámlatdár's office, there is a district jail at Belgaum and a subordinate jail at Athni. The number of convicts in the Belgaum jail on the 31st of December 1882 was forty-two, of whom thirty-two were males and ten females. During the year 1883, 499 convicts, of whom 433 were males and sixty-six females were admitted, and 465 of whom 396 were males and sixty-nine females were discharged. During the year the daily average of prisoners was sixty and at the close of the year the number of convicts was seventy-six, of whom sixty-nine were males and seven females. Of these 359 males and sixty-three females were sentenced for not more than one year; thirty-five males were for over one year and not more than two years; thirteen males and one female were for more than two years and not more than five years; six males and two females were for between five and ten years; and none were for over ten years. Eight male prisoners, one for life and seven for a term, were sentenced to transportation; and eight male prisoners were sentenced to death. The daily average number of sick was two. During the year four prisoners died two of bowel complaint and two after being admitted into hospital. The total cost of diet was £112 8*s* (Rs. 1124) or an average of £1 16*s*. 3*d*. (Rs. 18⅛) to each prisoner.